

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

CIV 10-1192 WJ/KBM  
CR 07-0545 WJ

MAX MENRIQUEZ FLORES,

Defendant-Movant.

**ORDER ADOPTING MAGISTRATE JUDGE'S**  
**PROPOSED FINDINGS AND**  
**RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on February 21, 2011. *Doc. 8*. The proposed findings notify Petitioner of his ability to file objections and that failure to do so waives appellate review. To-date, Petitioner has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 8*) is ADOPTED;
2. Defendant's § 2255 petition is dismissed **with prejudice**; and
3. A final order and denial of certificate of appealability enter concurrently herewith.

  
UNITED STATES DISTRICT JUDGE